GOVERNMENT OF ANDDHRA PRADESH

A B S T R A C T

Agriculture & Cooperation Department - ACB Cases - Sri N. Chinna Reddaiah, the then Horticulture Officer, Dharmavaram Mandal, Ananthapuramu District and presently working as Hortiuclture Officer, Madakasira, Satyasai District - Misappropriation of Government subsidies – Departmental Proceedings issued under A.P.Civil Services (CCA) Rules, 1991 - Imposition of the Major penalty of "Withholding of (2) Annual Grade Increments with cumulative effect", under rule 9 of A.P.Civil Services (CCA) Rules, 1991, besides recovery of the loss caused to Government to a tune of Rs.2,77,334/- – Orders – Issued.

AGRICULTURE AND CO-OPERATION (VIG.I) DEPARTMENT

G.O.Ms.No.31 **Dated: 14/03/2024**

Read the following

1. From the Director General, Anti-Corruption Bureau, A.P., Vijayawada, Letter Rc. No.60/RE-CIU/2017, dt.25-3-2019.
2. Govt.Memo.No.AGC01-AGRI/82/2019, A&C (Vig.I) Dept., dt.17.12.2019 & Reminder dt.07.02.2020.
3. Proceedings No. Estt-I(2)09/2017, dt. 20.01.2020 of Commissioner of Horticulture, A.P., Guntur.
4. From the Commissioner of Horticulture, A.P., Guntur, Letter No.Estt.I(2)09/2017, dt.24.11.2021.
5. G.O. Rt.No.288, A & C (Vig.I) Dept., dt.10.05.2022.
6. G.O. Rt.No.289, A & C (Vig.I) Dept., dt.10.05.2022.
7. From the Sri K.Venkata Ramireddy, Member, Commissioner of Inquiries & Inquiring Authority, D.O. Letter No. 39/COI-KVR/2022, dt.27.02.2023.
8. Govt.Memo.No.AGC01-AGRI/82/2019, A&C (Vig.I) Dept., dt.06.03.2023
9. Representations dt.03.04.2023 & 02.05.2023 of Sri N.Chinna Reddiah, the then Horticulture Officer, Dharmavaram Mandal, Ananthapuramu District and presently working as Horticulture Officer, Madakasira, SatyaSai District.
10. From the Commissioner of Horticulture, A.P., Guntur, Lr.No.Estt-I(2)09/2017, dt.21.07.2023 & 30.10.2023.
11. Govt. Lr.No.AGC01-AGRI/82/2019, A & C (Vig.I) Dept., dt.01.12.2023.
12. From the Secretary APPSC, Vijayawada, Lr.No.GAD03-APPS0DCC/125/2023-DC.SEC-APPSC, dt.07.03.2024

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In the reference 1st read above, the Director General, ACB, A.P., Vijayawada, has informed that, on a petition purportedly submitted by one Sri C. Anjini Reddy, Ananthapuram District into the alleging misappropriation of Government subsidies by Sri N. Chinna Reddaiah, Horticulture Officer, Dharmavaram Mandal, Ananthapuram District, a discreet enquiry was taken up and basing on the facts revealed during the discreet inquiry, a regular enquiry was taken up and an officer of ACB conducted the regular inquiry and recommended to place the Accused Officer on his defence before the Commissioner of Inquiries for violation of Rule 3 (1) (2) of APCS (Conduct) Rules, 1964.

2. The Government have accepted the above recommendations and forwarded the Draft Articles of Charge, Statement of imputations etc., in respect of Sri N. Chinna Reddaiah, the then Horticulture Officer, Dharmavaram Mandal, Ananthapuram District, to the Commissioner of Horticulture, A.P., Guntur, in the reference 2nd read above, with a request to issue Articles of Charge etc. to the said Accused Officer and obtain his Written Statement of Defense (WSD), along with dated acknowledgement and furnish the same to Government, with his specific remarks.

3. Accordingly, in the reference 3rd read above, the Commissioner of Horticulture, A.P., Guntur, has issued Articles of Charge to the Accused Officer Sri N. Chinna Reddaiah, the then Horticulture Officer, Dharmavaram Mandal, Ananthapuramu District, with a direction to submit his Written Statement of Defense (WSD) within (10) days of the receipt of the Memo., specifically admitting or denying each Articles of Charge.

(P.T.O.)

4. In the reference 4th read above, the Commissioner of Horticulture, A.P., Guntur, has forwarded the Written Statement of Defense (WSD) dt.31.08.2020 of of Sri N. Chinna Reddaiah, the then Horticulture Officer, Dharmavaram Mandal, Ananthapuram District, in which he has denied the charges framed against him and requested to drop further action in the matter.

5. Accordingly, the Government have appointed Sri K.Venkata Rami Reddy, Member, Commissioner of Inquiries, as the Inquiring Authority, in the reference 5th read above, to inquire into the Articles of Charge issued against the said Sri N. Chinna Reddaiah, the then Horticulture Officer, Dharmavaram Mandal, Ananthapuramu District and also appointed Sri K.Giri Babu, Inspector of Police, CIU, Anti-Corruption Bureau, Vijayawada, as the Presenting Officer, in the reference 6th read above, to present the case before the Inquiring Authority.

6. In the reference 7th read above, Sri K.Venkata Rami Reddy, Member, Commissioner of Inquiries & Inquiring Authority has submitted the Inquiry report, stating that the charges framed againt the Charged Officer Sri N. Chinna Reddaiah, the then Horticulture Officer, Dharmavaram Mandal, Ananthapuramu District are held proved.

7. In the reference 8th read above, the Government have communicated a copy of the above Inquiry Report to the Charged Officer, Sri N. Chinna Reddaiah, the then Horticulture Officer, Dharmavaram Mandal, Ananthapuramu District, under Rule 21 of A.P. Civil Services (CC&A) Rules, 1991, through the Commissioner of Horticulture, A.P., Guntur, with a direction to submit his representation, if any, on the findings of the Inquiring Authority, within (15) days positively.

8. In the reference 9th read above, the Charged Officer Sri N. Chinna Reddaiah, the then Horticulture Officer, Dharmavaram Mandal, Ananthapuramu District, has submitted representation, duly denying the findings of the Inquiring Authority and requested to drop further action in the matter.

9. In the reference 10th read above, the Commissioner of Horticulture, A.P., Guntur, has informed that, Sri N.ChinnaReddaiah has filed W.P.No.24362/2023 in the Hon'ble High Court, A.P., Amaravati, to declare the action of the respondents in delaying the adjudication of the disciplinary proceedings initiated in contravention of the A.P. Civil Services (CC & A) Rules, 1991 and in pursuance of G.O.Rt.No.288, A & C (Vig.1) Dept., dt.10-5-2022 and declare the same as illegal and arbitrary and set aside the said and promote the writ petitioner without reference to the disciplinary proceedings initiated for the 2nd time in pursuance of the said G.O. The Hon'ble High Court has disposed off the above writ Petition and issued the following orders dt.09.10.2023:

> "In view of the fact that the petitioner has already participated in the inquiry conducted in pursuance of the G.O.Rt.No.288, dated 10-5-2022 and inquiry is also completed, final orders are yet to be issued, this court feels it appropriate to dispose of the Writ Petition by directing the 1st respondent to pass final orders within a period of eight (08) weeks from the date of receipt of a copy of this order, by duly taking into consideration of the memo dated 2-11-2018 wherein it was decided by 2nd respondent that no action is required against the petitioner".

10. After consultation of the matter with the Advisory Department, the Government have taken a provisional decision to impose the the penalty of "Withholding of (2) Annual Grade Increments with cumulative effect", under rule 9 of A.P.Civil Services (CCA) Rules, 1991, against Sri N.Chinna Reddaiah, Horticulture Officer, Dharmavarma Mandal, Ananthapuram District and presently working as Horticulture Officer, Madakasira, besides recovery of the loss caused to Government to a tune of Rs.2,77,334/- from him and requested the Secretary, APPSC, Vijayawada, in the reference 11th read above, to place the said decision before the Commission for its concurrence and communicate the same to Government.

(Contd.p.3)

11. In the reference 12th read above, the Secretary, APPSC, Vijayawada, has informed that the Commission has agreed with the proposal of the Government to impose the Major Penalty of "Withholding of (2) Annual Grade Increments with cumulative effect", under rule 9 of A.P.Civil Services (CCA) Rules, 1991, against Sri N. Chinna Reddaiah, the then Horticulture Officer, Dharmavaram Mandal, Ananthapuramu District and presently working as Horticulture Officer, Madakasira, Satya Sai District, besides recovery of the loss caused to Government to a tune of Rs.2,77,334/- from him and advised accordingly.

12. The Government, after careful examination of the matter, hereby, impose the Major Penalty of "Withholding of (2) Annual Grade Increments with cumulative effect", under rule 9 of A.P.Civil Services (CCA) Rules, 1991, against Sri N. Chinna Reddaiah, the then Horticulture Officer, Dharmavaram Mandal, Ananthapuramu District and presently working as Horticulture Officer, Madakasira, Satya Sai District, besides recovery of the loss caused to Government to a tune of Rs.2,77,334/- from him, for the Charges framed against him are held proved.

13. The Commissioner of Horticulture, A.P., Guntur shall take necessary further action, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
CHIEF COMMISSIONER, RBKs &
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To:

Sri N. Chinna Reddaiah, the then Horticulture Officer, Dharmavaram Mandal, Ananthapuramu District and presently working as Horticulture Officer, Madakasira, SatyaSai District.
(through the Commissioner of Horticulture, A.P., Guntur)
The Commissioner of Horticulture, A.P., Guntur.

Copy to:

The Prl. Accountant General, A.P., Vijayawada.
The Director General, ACB, Pandit Nehru Bus Station, NTR Administrative Block, 2nd Floor, Vijayawada, A.P.
The Director of Treasuries & Accounts, A.P., Mangalagiri.
The District Treasury Officer, Satya Sai District.
The District Horticulture Officer, Satya Sai District.
The P.S. to Secretary, A.P.P.S.C., Vijayawada.
The P.S to Minister for Agriculture, A.P.
The Secretary to Vigilance Commissioner, A.P.V.C., Block-5, 1stFloor, A.P., Secretariat.
Sf/Sc.

// FORWARDED BY ORDER //

SECTION OFFICER